

**CITY OF BALTIMORE
COUNCIL BILL 11-0645
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)
Introduced and read first time: January 31, 2011
Assigned to: Urban Affairs and Aging Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Department of Public Works, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Johnston Square –**
3 **Amendment _**

4 FOR the purpose of amending the Urban Renewal Plan for Johnston Square to reauthorize the
5 acquisition of properties within the Project Area and to correct and clarify certain language;
6 waiving certain content and procedural requirements; making the provisions of this
7 Ordinance severable; providing for the application of this Ordinance in conjunction with
8 certain other ordinances; and providing for a special effective date.

9 BY authority of
10 Article 13 - Housing and Urban Renewal
11 Section 2-6
12 Baltimore City Code
13 (Edition 2000)

14 **Recitals**

15 The Urban Renewal Plan for Johnston Square was originally approved by the Mayor and
16 City Council of Baltimore by Ordinance 77-357 and last amended by Ordinance 02-456.

17 An amendment to the Urban Renewal Plan for Johnston Square is necessary to reauthorize
18 the Plan's powers of acquisition and condemnation so that these actions may legally continue, in
19 compliance with § 12-105.1 of the Real Property Article of the Annotated Code of Maryland,
20 and to correct and clarify certain language.

21 Under Article 13, § 2-6 of the Baltimore City Code, no substantial change may be made in
22 any approved renewal plan unless the change is approved in the same manner as that required for
23 the approval of a renewal plan.

24 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
25 following changes in the Urban Renewal Plan for Johnston Square are approved:

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 (1) In the Plan, amend the first paragraph of C.1. to read as follows:

2 C. Techniques Used to Achieve Plan Objectives

3 1. Acquisition

4 A Property Acquisition Map, which designates those properties to be acquired
5 BY PURCHASE OR BY CONDEMNATION, is attached as Exhibit 2.

6 (2) In the Plan, add new C.1.c. to read as follows:

7 C. Techniques Used to Achieve Plan Objectives

8 1. Acquisition

9

10 C. THE AUTHORITY TO ACQUIRE THE PROPERTIES WITHIN THE PROJECT AREA
11 IS EXPRESSLY CONFIRMED AND REAUTHORIZED THROUGH AND INCLUDING
12 DECEMBER 31, 2014.

13 (3) In the Plan, amend the first paragraph of Appendix A to read as follows:

14 Appendix A

15 Properties for Acquisition and Disposition for Rehabilitation

16 In addition to those groups of properties to be acquired and disposed of for
17 rehabilitation (designated with disposition lot numbers on Exhibit 3), the
18 following properties are being acquired and disposed of for rehabilitation.
19 Certain properties listed below may be used, in whole or in part, as rear or side
20 yard space for adjacent property, AS SHOWN LYING WITHIN THE PERIMETER OF THE
21 PROPERTY DISPOSITION MAP.

22 (4) In the Plan, amend the first paragraph of Appendix B to read as follows:

23 Appendix B

24 Properties for Acquisition and Disposition for Rehabilitation

25 In addition to those groups of properties to be acquired and disposed of for
26 rehabilitation (designated with disposition lot numbers on Exhibit 3), the
27 following properties are being acquired and disposed of for rehabilitation.
28 Certain properties listed below may be used, in whole or in part, as rear or side
29 yard space for adjacent property, AS SHOWN LYING WITHIN THE PERIMETER OF THE
30 PROPERTY DISPOSITION MAP.

31 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Johnston
32 Square, as amended by this Ordinance and identified as “Urban Renewal Plan, Johnston Square,
33 revised to include Amendment __, dated January 31, 2011”, is approved. The Department of
34 Planning shall file a copy of the amended Urban Renewal Plan with the Department of

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1 Legislative Reference as a permanent public record, available for public inspection and
2 information.

3 **SECTION 3. AND BE IT FURTHER ORDAINED,** That if the amended Urban Renewal Plan
4 approved by this Ordinance in any way fails to meet the statutory requirements for the content of
5 a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal
6 plan, those requirements are waived and the amended Urban Renewal Plan approved by this
7 Ordinance is exempted from them.

8 **SECTION 4. AND BE IT FURTHER ORDAINED,** That if any provision of this Ordinance or the
9 application of this Ordinance to any person or circumstance is held invalid for any reason, the
10 invalidity does not affect any other provision or any other application of this Ordinance, and for
11 this purpose the provisions of this Ordinance are declared severable.

12 **SECTION 5. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns
13 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or
14 safety law or regulation, the applicable provisions shall be construed to give effect to each.
15 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
16 higher standard for the protection of the public health and safety prevails. If a provision of this
17 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
18 establishes a lower standard for the protection of the public health and safety, the provision of
19 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
20 conflict.

21 **SECTION 6. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it
22 is enacted.